

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MICHAEL J. BEMIS,

Plaintiff,

vs.

No. 1:11-CV-05
(NAM/DRH)

ULSTER COUNTY RESOURCE RECOVERY
AGENCY, et al.,

Defendants.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised Judge Homer that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED that:

1. The above-captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within forty-five (45) days of the date of the filing of this order upon a showing that the settlement was not consummated;

2. The dismissal of the above-captioned case shall become **with prejudice** on the forty-sixth day after the date of the filing of this order unless any party moves to re-open this case within forty-five (45) days of the date of the filing of this order upon a showing that the settlement was not consummated;

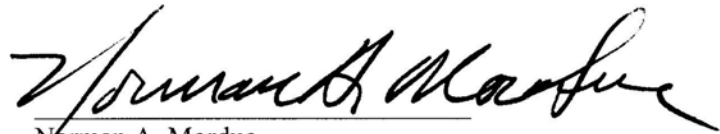
3. The Court will retain jurisdiction to enforce the settlement agreement in this

case; and

4. The Clerk shall serve by electronic mail copies of this Judgment upon the attorneys for the parties appearing in this action.

IT IS SO ORDERED.

DATED: July 5, 2011

A handwritten signature in black ink, appearing to read "Norman A. Mordue", written over a horizontal line.

Norman A. Mordue
Chief United States District Court Judge

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